

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
August 6, 2002

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:04 p.m., Tuesday, August 6, 2002, in the Board Room, York Hall, by Chairman Donald E. Wiggins.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zaremba, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

Invocation. Chaplain Finley, U. S. Coast Guard Reserve Training Center, gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Mr. Zaremba led the Pledge of Allegiance.

**PRESENTATIONS**

COMMUNITY CENTER STATUS

Mrs. Anne B. Smith, Director of Community Services, made a presentation on the status of the new community center in the Tabb area, a public/private partnership with the YMCA. The groundbreaking for construction was held on October 21, 2001, and construction was underway in April of 2002. The roof for the gymnasium was finished last week, and this week the pool roof will go on. Mrs. Smith stated that hard hat tours can take place in late August or early September, and she would be contacting the Board members to schedule them for a tour. She stated that construction completion would hopefully be in December with a grand opening in January of 2003. The YMCA is taking membership applications for the facility at this time, and she reviewed the fee schedule which provides for no initiation fee to sign up in the first year and a 50 percent reduction each year thereafter. Mrs. Smith also reviewed the fee subsidy that is provided to the citizens of the upper County for use of the James City County Recreation Center. She noted that the staff is very pleased with the public/private partnership with the YMCA.

Discussion followed concerning the fees for York County citizens and the name of the facility.

LIBRARY SERVICES

Mrs. Beverly Dudley, Manager of Library Services, made a presentation on current library services provided at both branches of the York County Library. She spoke of the growth in the library system since the opening of the Tabb branch, with 9,400 new members registered, 48,000 books added, 12,000 audiovisual items, and 5,000 children attending story hours and programs. She noted that the 51 public access computers allowed patrons to use the Internet

over 8,000 times each month, and there was an increase of 200,000 items in circulation over 2001. Mrs. Dudley spoke of the outreach program, stating the library provides support at three Head Start centers, the Senior Center and adult and juvenile detention centers, and it participates in the Virtual School Project with the school system. The three meeting rooms at the Tabb branch hold about 275 meetings per month. The AARP Tax-Aide program is hosted annually at both library locations, and the Tabb branch is designated as a polling location for District 2. Mrs. Dudley then discussed the special amenities provided at the Tabb branch such as the portable computer training lab, the magnifier table and text-to-speech reading machine, and the hot drink machine. She noted that there was magnification software located at both library branches.

Discussion followed regarding the total number of library patrons registered in the library system and the fact that the York Library is a full service facility unmatched on the Peninsula.

### **CITIZENS COMMENT PERIOD**

Mr. Tom Norman, 539A Allens Mill Road, spoke concerning his disappointment that the sewer project for Allens Mill Road had been moved forward from 2004 to 2008, and that two projects that weren't on the prioritization list in 1998 had been added in front of Allens Mill Road. He noted that unless he could get his property to perk, he would not be able to build his home.

Chairman Wiggins noted there were some scouts in the audience, and he asked them to come forward and introduce themselves.

Michael Walsh and Brian Dunn, Boy Scout Troop 200, introduced themselves, noting they were both working on getting their Eagle Scout status.

### **COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett stated the Board had this evening received a letter from him that was marked "privileged and confidential", and he explained that its contents had to do with a particular Board policy that would be reviewed at the Board's work session on August 13. Mr. Barnett also noted that Assistant County Attorney Carla Hook had a baby boy and would return to work sometime in October.

### **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. McReynolds reminded the Board of its August 13 work session to review the Board's Policies and the County's Personnel Policies, and receive a presentation from VDOT on the revised Secondary Road Plan. He then stated that the County had just completed the fiscal year on June 30, and reports were now being generated. One report concerning the County's procurements shows that the procurements with County businesses are about 23 percent, up from the 18 percent included in the last report. In separating the figures between County use and School use, the County does approximately 41 percent of its business in the County on non-capital items versus the Schools' 10 percent. Mr. McReynolds explained that a lot of the large items purchased by the schools were not available in the County, for example, there are no firms that sell school buses. Mr. McReynolds stated the figures show the concerted effort by staff to buy from County businesses whenever possible.

Mrs. Noll stated she wanted to make sure that the County gets the best price for what it is purchasing. If the County cannot get the best price locally, she stated she felt it should go elsewhere.

Discussion followed regarding vendor complaints and steps they should take when they do not feel they have been treated fairly by the County.

### **MATTERS PRESENTED BY THE BOARD**

Mr. Shepperd read a statement he had prepared concerning a rezoning application that was approved at the last Regular Meeting on July 16 and his concern about future growth in the County.

Mr. Burgett indicated he had attended the groundbreaking ceremony for the Lackey Free Clinic. He spoke about development in the County, explaining the County can only do what the State allows in the Code of Virginia and is not allowed to impose a moratorium on development to slow growth. He noted there was an excellent article in Saturday's Virginia Gazette regarding the State's rule blocking a ban on growth. Mr. Burgett also noted he was adamant about giving the County's business to local businesses or at least keeping it in the state whenever possible, but the County had to follow the State procurement practices which did not always allow this to happen.

Meeting Recessed. At 7:57 p.m. Chairman Wiggins declared a short recess.

Meeting Reconvened. At 8:04 p.m. the meeting was reconvened in open session by order of the Chair.

### **PUBLIC HEARINGS**

#### **SALE OF COUNTY PROPERTY**

Mr. James Noel, Director of Economic Development, made a presentation on proposed Resolution R02-149 to authorize the sale of one acre of land being a portion of the County's landfill site lying adjacent to Victory Industrial Park. He stated the sale of the property would not cause any impact on County operations, and the purchaser has agreed to relocate the dirt road that passes through the parcel. He stated the sale is a consistent use for what the County envisioned on the property, it would be helping to expand a current York County business, and would garner funds for the County.

Chairman Wiggins stated that there was no way anyone else could have access to the property in question.

Mr. Noel indicated that was correct in part. He stated there was one other property owner to the north that could potentially access the property.

Mr. Burgett asked if the public used the dirt road.

Mr. Noel stated only County staff used the road.

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Mr. Shepperd noted that the property did not look on the pictures being shown as it did when he went out and looked at it.

Mr. Noel explained the aerial photographs were a couple of years old, and Mr. Moore has a substantial business and grounds located on the adjacent property that are not shown on the photographs.

Mrs. Noll asked Mr. Noel to clarify what the memorandum meant regarding a subdivision of the property.

Mr. Noel explained that the sale of the property requires a subdivision plat to be drawn up to cut out the piece of County property for sale, and the purchaser has agreed to cover the cost. It, in effect, becomes a boundary line adjustment for the purchaser and his property.

Mr. Zaremba asked if there was any requirement that the County offer this piece of property to the general public before selling it to an individual.

Mr. Barnett explained that the County did not have to offer it to the general public; sale of land is not covered under the State's procurement laws.

Discussion followed concerning the purchase price being higher than the assessment.

Chairman Wiggins then called to order a public hearing on proposed Resolution R02-149 which was duly advertised as required by law and is entitled as follows:

A RESOLUTION AUTHORIZING THE SALE OF ONE ACRE OF LAND,  
MORE OR LESS, BEING A PORTION OF THE COUNTY'S LANDFILL  
SITE LOCATED AT 145 GOODWIN NECK ROAD, AND LYING AD-  
JACENT TO 229 REDOUBT ROAD, VICTORY INDUSTRIAL PARK

There being no one present who wished to speak concerning the subject resolution, Chairman Wiggins closed the public hearing.

Mr. Shepperd indicated he was very resistant to selling any County property, but because Mr. Moore has several businesses in the County and has demonstrated being a good neighbor for the community, he was very confident that Mr. Moore was here to stay, and he was supportive of the sale.

Mrs. Noll stated there was another piece of property that the Board felt adamantly about not selling and did not sell it. She stated she had a problem because County property is County property, and she could not see any consistency in the two actions.

Mr. Burgett reminded Mrs. Noll that the price the individual wanted to pay for the other piece of property in question was less than the assessed value.

Mr. Burgett then moved the adoption of proposed Resolution R02-149 that reads:

A RESOLUTION AUTHORIZING THE SALE OF ONE ACRE OF LAND,  
MORE OR LESS, BEING A PORTION OF THE COUNTY'S LANDFILL  
SITE LOCATED AT 145 GOODWIN NECK ROAD, AND LYING AD-  
JACENT TO 229 REDOUBT ROAD, VICTORY INDUSTRIAL PARK

WHEREAS, Dale Moore has offered the sum of Thirty-Two Thousand and 00/100 Dollars (\$32,000.00) to purchase from the County a parcel of real property consisting of approximately one acre and to be subdivided from property owned by the County located at 145 Goodwin Neck Road and comprising a portion of the property formerly used as the York County landfill identified as York County Tax Map Parcel 24-181; and

WHEREAS, following a duly advertised public hearing, this Board has determined that it is in the public's interest to convey the said property.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6th day of August, 2002, that the County Administrator is hereby authorized to enter into a real estate sales agreement with Dale Moore to convey one acre of land, more or less, as described above and as shown on the exhibit attached to the County Administrator's memorandum of July 17, 2002, for a purchase price of \$32,000, provided that Mr. Moore shall pay all costs for the creation and approval of a subdivision plat creating the property to be conveyed as a separate parcel, and with the purchaser rerouting the Waste Management Center's perimeter access road and reworking the existing drainage ditches, and paying all normal closing costs, provided that such contract shall be approved as to form by the County Attorney.

On roll call the vote was:

Yea:	(4)	Zaremba, Burgett, Shepperd, Wiggins
Nay:	(1)	Noll

APPLICATION NO. UP-599-02, KONSTANTIN AND MARINA FOTIADIS

Mr. J. Mark Carter, Planning and Zoning Manager, made a presentation on Application No. UP-599-02 requesting approval of a use permit authorizing an automobile service and sales establishment at 110 Oaktree Road. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Resolution R02-143.

Mr. Zaremba noted there was a letter from Williamsburg in the agenda package stating Williamsburg's opposition to this initiative because of its concerns about the Waller Mill watershed. He stated he has a hard time understanding why the three jurisdictions of the historic triangle that are so closely aligned to one another have to communicate in this way. He stated he felt these issues should be addressed on an on-going basis through a regional effort such as the Regional Issues Committee.

Mr. Shepperd stated it was interesting that the Regional Issues Committee does just as Mr. Zaremba suggested on all issues other than business development, where they look to the jurisdictions' Industrial Development Authorities and similar groups.

Mrs. Noll suggested this is because there is money involved.

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Discussion followed concerning the County's procedures in notifying adjacent jurisdictions when a development is proposed and has potential impacts on things such as watersheds.

Mr. Zaremba indicated the applicant has a similar business on Route 60 in Williamsburg, and he noted that on a recent visit the business was very neat and orderly. He stated there had been times in the past when there were cars parked all over the grass, and he indicated York County would not tolerate a business that caused any eyesores.

Mr. Konstantin Fotiadis, the applicant, stated the reason he wished to leave Williamsburg was because there wasn't enough room at the current location.

Mr. Burgett voiced his frustration over Williamsburg's opposition, stating many York County residents' drinking water comes from the reservoir, and the County staff will do everything in its power to protect the watershed. He asked if there would be any body work or painting done in the proposed facility.

Mr. Carter stated the application was not submitted under auto body work and painting conditions. If the applicant wished to perform these services, he would need another use permit.

Mr. Burgett asked if there were any other businesses in this corridor that were required to put in a shoulder bike lane.

Mr. Carter indicated the contractor shop was required to install one.

Mr. Burgett stated he felt the Board needed to revisit the bike path requirement because it adds considerable cost to a shop owner, especially when it is a path going nowhere.

Mrs. Noll indicated it was part of the Regional Bikeway Plan.

Mr. Carter stated the ordinance is worded such that if a bike path is shown on the regional plan, then it becomes a requirement of the County.

Chairman Wiggins agreed that the requirement should be revisited.

Chairman Wiggins then called to order a public hearing on Application No. UP-599-02 which was duly advertised as required by law. Proposed Resolution R02-143 is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO  
AUTHORIZE AN AUTOMOBILE SERVICE AND SALES ESTABLISH-  
MENT AT 110 OAKTREE ROAD

Mr. Ralph Simmons, engineer for the project, indicated he and the applicants were present to answer any questions the Board members might have concerning the application.

There being no one else present who wished to speak concerning the subject application, Chairman Wiggins closed the public hearing.

Discussion followed concerning the water source for the project and the lot size requirements to install a well on an existing lot or newly created lot. Also discussed were the buffer requirements for the proposed facility and the use of the existing trees on the site as part of the buffer.

Mr. Shepperd asked for some clarification as to how the facility will look on the site. He asked if it would be a facility such as the Auto Haus on Route 17.

Mr. Fotiadis stated he liked to keep a clean and neat facility. The business will be to sell and service automobiles. He stated the reason there wasn't an actual design accompanying the application was because he wanted to get the permit before investing the money to do the design of the facility. He stated the facility would be something that would enhance the area.

Mr. Shepperd asked how many employees the applicant intended on having at the facility.

Mr. Fotiadis indicated there would be six employees.

Mr. Shepperd asked if there would be any storage of vehicles taking place.

Mr. Fotiadis stated there would be temporary storage only of vehicles being worked on. There would be no permanent storage.

Chairman Wiggins noted the last paragraph of the letter from Williamsburg states that City staff has conducted a site inspection, and recommends that drainage away from the reservoir be a requirement of the use permit.

Mr. Carter stated he did not know if the property drained away from the reservoir since there has been no site plan submission.

Chairman Wiggins asked if it was correct that during the site plan review if it were determined that certain drainage facilities were necessary, then the applicant would have to supply these facilities.

Mr. Carter indicated Mr. Wiggins was correct. The County's ordinance requires that if any drainage goes toward the reservoir that water quality measures are adhered to and met to protect the reservoir.

Mr. Zaremba expressed his displeasure that a site schematic had not been provided with the application. He stated he felt the Board should see what the applicant proposed to do before approving the application.

Mr. Carter stated there is no requirement for any architectural rendering for the use permit process. In some instances, he stated the applicant will submit a sketch as part of the backup. In some instances applicants have submitted a sketch as part of the package to give the Board a measure of comfort in order to garner the Board's approval.

Discussion followed concerning the lack of authority on the part of the County to require any kind of architectural control over development.

Mrs. Noll then moved the adoption of proposed Resolution R02-143 that reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO  
AUTHORIZE AN AUTOMOBILE SERVICE AND SALES ESTABLISH-  
MENT AT 110 OAKTREE ROAD

WHEREAS, Konstantin and Marina Fotiadis have submitted Application No. UP-599-02 requesting a Special Use Permit to authorize an 8,750-square foot automobile service and

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sales establishment on a 2.67-acre parcel of land located at 110 Oaktree Road between East Rochambeau Drive (Route F-137) and Oaktree Road. (Route 786), across from the intersection of Oaktree Road and Red Dirt Road (Route 1420), further identified as Assessor's Parcel No. 2-59A; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 6th day of August, 2002, that Application No. UP-599-02 be, and it is hereby, approved to authorize an 8,750-square foot automobile service and sales establishment on a 2.67-acre parcel of land located at 110 Oaktree Road between East Rochambeau Drive (Route F-137) and Oaktree Road. (Route 786), across from the intersection of Oaktree Road and Red Dirt Road (Route 1420), further identified as Assessor's Parcel No. 2-59A, subject to the following conditions:

1. This Special Use Permit shall authorize the establishment of an 8,750-square foot automobile service and sales establishment on a 2.67-acre parcel of land located at 110 Oaktree Road between East Rochambeau Drive (Route F-137) and Oaktree Road. (Route 786), across from the intersection of Oaktree Road and Red Dirt Road (Route 1420), further identified as Assessor's Parcel No. 2-59A.
2. A site plan, prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Development and Compliance, prior to the commencement of any land clearing or development activities in connection with the use. Said site plan shall be in substantial conformance with the conceptual plan titled "European Cars of Williamsburg Auto Service & Sales," prepared by Simmons Engineering, Inc. and dated April 16, 2002, a copy of which shall remain on file in the Department of Environmental and Development Services.
3. The development shall be constructed and operated in conformance with the performance standards set forth in Sections 24.1-475 and 24.1-477 of the Zoning Ordinance except as modified herein.
4. Notwithstanding the provisions of Section 24.1-221 of the Zoning Ordinance, the minimum building setbacks measured from both the East Rochambeau Drive and Oaktree Road rights-of-way shall be 45 feet.
5. The development shall be limited to a single entrance on East Rochambeau Drive. No entrance to the development from Oaktree Road shall be permitted.
6. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this special use permit shall be recorded at



the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

On roll call the vote was:

Yea: (5) Noll, Burgett, Shepperd, Zaremba, Wiggins  
Nay: (0)

**MATTERS PRESENTED BY THE BOARD** (Continued)

Mr. Zaremba noted he had received a letter from Dave Schulte with the Williamsburg Area Convention and Visitors Bureau concerning the County's upcoming budget cycle, and he stated he wanted to make sure that every tourism dollar the County's spends gets a maximum return on the investment. Mr. Zaremba asked about the Relax and Ride Program, stating he no longer saw the buses in Williamsburg, and he asked if the County still supported the program.

Mr. Carter explained that the James City County Transit system has revamped its service and has repainted its fleet and renamed it the Williamsburg Area Transit System, even though it is still operated by James City County. The Relax and Ride Program routes still run, but they are now run with buses painted under the new scheme.

Discussion followed on the York County contribution to the Relax and Ride Program as well as the James City County Transit system.

Mr. Zaremba then addressed the topic of water, stating it is becoming critically short in supply, and he expressed his concern at the lack of unanimity among the three jurisdictions to address the water issue. He asked when there would be a decision made concerning the King William Reservoir.

Mr. John Hudgins, Director of Environmental and Development Services, spoke of the different water sources that supply the residents of York County, and stated he and his staff attend monthly meetings with their counterparts in the other jurisdictions to discuss the water situation. He stated the Corps of Engineers is supposed to release a schedule soon for when it will be making a determination about the new reservoir.

Mr. Zaremba then mentioned that several years ago Cox Cablevision had stated it was not technologically possible for the three jurisdictions to view each others' government channels. He stated one of the County's cable technicians has indicated it is possible, and he feels the County has been duped by Cox. He suggested that a letter of complaint be forwarded to Cox on this subject.

Mrs. Noll apprised the Board of an evening she spent at Fort Monroe attending a concert. She noted that on September 11 at 8:15 a.m. there will be a special ceremony at Fort Monroe and a musical tribute to those who were lost last year during the terrorist acts. She then provided answers to a gentleman's questions who had written a letter to the editor recently concerning the upcoming transportation referendum, and she encouraged other citizens to contact her if they had questions.

Chairman Wiggins stated that most people realize the severity of the water problems and the need for the King William Reservoir. He noted he had received many calls about the Nile

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virus, and he encouraged residents to contact Mr. Tom Gallagher, the County's mosquito expert, if they had any questions or needed advice on controlling the mosquitoes. He stated he had the privilege of helping cut the ribbon at the new Wal-Mart on July 17, noting that Wal-Mart donated over \$30,000 to County non-profit organizations. Chairman Wiggins then addressed the changes that have taken place in York County over the years, stating that overall they were good changes and greatly benefited its citizens; but he reminded the citizens that making things better costs a price. He then indicated he had the privilege with Mr. Burgett to go to the groundbreaking ceremony for the Lackey Free Clinic.

## **NEW BUSINESS**

### **REVENUE SHARING PROJECTS FOR 2002**

Mr. McReynolds explained the purpose of proposed Resolution R02-148 to authorize the execution of agreements with the Virginia Department of Transportation for the administration of the Revenue Sharing Projects approved for York County by action of the Commonwealth Transportation Board and to appropriate the VDOT Revenue Sharing funds.

Mr. Zaremba stated he drove the entire length of the road going to New Quarter Park, and he asked if the whole road was to be repaved.

Mr. Carter stated that just spot paving and seal coat treatment would be placed over it. He stated the seal coat preserves the life of the asphalt.

Mr. Zaremba stated there are many potholes along the entire route, and there are about 50 yards of what looks like new blacktop. He stated the security people think it is some kind of test treatment.

Mr. Tommy Ashe, Chief of Grounds Maintenance, stated it is a test portion. The patch is a test demonstration of what the slurry seal looks like. He stated it is a material approved by VDOT for paving and repair. The road will be repaired and coated some time after Labor Day.

Mrs. Noll then moved the adoption of proposed Resolution R02-148 that reads:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE AGREEMENTS WITH THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION FOR THE ADMINISTRATION OF THE REVENUE  
SHARING PROJECTS APPROVED FOR YORK COUNTY BY ACTION  
OF THE COMMONWEALTH TRANSPORTATION BOARD AND TO AP-  
PROPRIATE VDOT REVENUE SHARING FUNDS

WHEREAS, the Virginia Department of Transportation (VDOT) has approved the County's request to establish Revenue Sharing projects for: Route 1314 - New Quarter Park entrance road improvements and Route 1291 - Back Creek Park entrance road improvements and to provide supplementary funding for the Route 162 - Second Street sidewalk/landscaping project; and

WHEREAS, the County has pledged up to \$21,300 in County funds for these projects, to be matched by an equal amount in VDOT Revenue Sharing Program funds; and

WHEREAS, in accordance with Revenue Sharing Program guidelines, the County may administer and implement eligible projects subject to execution of project administration agreements; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 6<sup>th</sup> day of August, 2002, that the County Administrator be, and he is hereby, authorized to execute such agreements between York County and the Commonwealth of Virginia Department of Transportation as are necessary to provide for the implementation of the above-noted projects, said agreements to be approved as to form by the County Attorney.

BE IT FURTHER RESOLVED that Revenue Sharing funds in the total amount of \$21,300 to be received from the Virginia Department of Transportation for the projects be, and hereby are, appropriated in the County Capital Fund.

On roll call the vote was:

Yea: (5) Burgett, Shepperd, Zaremba, Noll, Wiggins  
Nay: (0)

**CLOSED MEETING.** At 9:35 p.m. Mr. Zaremba moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions and the salary of a specific County employee; Section 2.2-3711(a)(3) pertaining to the acquisition of real property for a public purpose; and Section 2.2-3711(a)(5) pertaining to a prospective business or industry not yet announced.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Burgett, Wiggins  
Nay: (0)

Meeting Reconvened. At 10:55 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Zaremba moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM  
OF INFORMATION ACT REGARDING MEETING IN CLOSED MEET-  
ING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

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NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 6th day of August, 2002, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Burgett, Shepperd, Wiggins  
Nay: (0)

APPOINTMENT TO THE TRANSPORTATION SAFETY COMMISSION

Mr. Shepperd moved the adoption of proposed Resolution R02-142 that reads:

A RESOLUTION TO APPOINT A MEMBER TO THE YORK COUNTY  
TRANSPORTATION SAFETY COMMISSION

WHEREAS, David E. Reubush is moving out of York County and, therefore, has resigned from the York County Transportation Safety Commission after 16 years of service; and

WHEREAS, Mr. Reubush's term on the Commission will expire on March 31, 2004;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 6th day of August, 2002, that the following individual be, and is hereby, appointed to serve on the York County Transportation Safety Commission for a term to begin immediately and expire on March 31, 2004:

Penny Dennis

On roll call the vote was:

Yea: (5) Noll, Burgett, Shepperd, Zaremba, Wiggins  
Nay: (0)

APPOINTMENT TO THE COLONIAL SERVICES BOARD

Mrs. Noll moved the adoption of proposed Resolution R02-138 that reads:

A RESOLUTION TO APPOINT A YORK COUNTY REPRESENTATIVE  
TO THE COLONIAL SERVICES BOARD

BE IT RESOLVED by the York County Board of Supervisors this 6th day of August 2002, that Mary Clark, be and is hereby, appointed as a representative to the Colonial Services Board for a term of three years, such terms to begin immediately and expire June 30, 2005.

On roll call the vote was:

Yea: (5) Burgett, Shepperd, Zaremba, Noll, Wiggins

Nay: (0)

APPOINTMENT TO THE COMMUNITY CRIMINAL JUSTICE BOARD

Mr. Burgett moved the adoption of proposed Resolution R02-150 that reads:

A RESOLUTION TO REAPPOINT A YORK COUNTY REPRESENTA-  
TIVE TO THE COMMUNITY CRIMINAL JUSTICE BOARD

BE IT RESOLVED by the York County Board of Supervisors this 6<sup>th</sup> day of \_August, that The Honorable Merlin Renne be, and he is hereby, reappointed as a York County representative to the Community Criminal Justice Board for a term of four years, such term to begin August 1, 2002 and end July 31, 2006.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Burgett, Wiggins  
Nay: (0)

APPOINTMENTS TO THE YORK COUNTY HISTORICAL COMMITTEE

Mr. Burgett moved the adoption of proposed Resolution R02-152(R) that reads:

A RESOLUTION TO APPOINT MEMBERS TO THE YORK COUNTY  
HISTORICAL COMMITTEE

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 6<sup>th</sup> day of August, 2002, that Lois Winter and Carol R. Meredith be, and are hereby, appointed to the York County Historical Committee as Regular Members.

BE IT FURTHER RESOLVED that the following individuals are appointed to the York County Historical Committee as Associate Members:

Hank D. Lutton  
Reinhold B. Tajovsky  
Sherman C. Hill  
Daniel M. Phillips  
Lisa P. Laurier  
Barbara A. Doherty

On roll call the vote was:

Yea: (5) Zaremba, Noll, Burgett, Shepperd, Wiggins  
Nay: (0)

Meeting Adjourned At 10:59 p.m. Mrs. Noll moved that the meeting to 6:00 p.m., Tuesday, August 13, 2002, in the East Room, York Hall, for the purpose of conducting a work session.

On roll call the vote was:

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Yea: (5)

Nay: (0)

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James O. McReynolds, Clerk  
York County Board of Supervisors

Donald E. Wiggins, Chairman  
York County Board of Supervisors